

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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DARNEL WALKER, JR. ,

Plaintiff,

Case No. 1:21-cv-106

v.

Honorable Paul L. Maloney

TREVOR BIDDINGER, et al.,

Defendants.

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**ORDER**

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. On February 24, 2021, the Court issued an opinion and order (ECF Nos. 3, 4) denying Plaintiff leave to proceed *in forma pauperis* because he was barred by the “three-strikes” rule of 28 U.S.C. § 1915(g). Plaintiff paid the filing fee.

On November 17, 2021, the Court dismissed Plaintiff’s federal claim and declined to exercise jurisdiction of Plaintiff’s state law claims. (ECF Nos. 44, 45). Plaintiff has now filed a notice of appeal, but has failed to submit the \$505.00 filing fee for an appeal. Instead, Plaintiff has filed a motion for leave to proceed on appeal *in forma pauperis*. (ECF No. 50.) As outlined in the Court’s opinion and order denying him pauper status, Plaintiff is barred from proceeding *in forma pauperis* on this appeal. His motion to so proceed is **DENIED**. Plaintiff has twenty-eight (28) days from the date of entry of this order to pay the entire filing fee for appealing a civil action, which is \$505.00, to the Clerk of this Court. Plaintiff’s failure to comply with the order may result in dismissal of this appeal without prejudice by the Sixth Circuit Court of Appeals.

**IT IS SO ORDERED.**

Dated: January 3, 2022

/s/ Paul L. Maloney

Paul L. Maloney

United States District Judge

**SEND REMITTANCES TO THE FOLLOWING ADDRESS:**

Clerk, U.S. District Court  
399 Federal Bldg.  
110 Michigan St., N.W.  
Grand Rapids, MI 49503

**All checks or other forms of payment shall be payable to “Clerk, U.S. District Court.”**